

**RECEIVED  
CENTRAL FAX CENTER**

MAY 11 2007

**Duane Morris**

DUANE MORRIS LLP  
ONE MARKET, SPEAR TOWER, SUITE 2000  
SAN FRANCISCO, CA 94105-1104  
PHONE: 415.957.3000  
FAX: 415.957.3001

**FACSIMILE TRANSMITTAL SHEET**

**TO:** Examiner Fangemonique A. Smith

**FIRM/COMPANY:** Mail Stop Amendment

**FACSIMILE NUMBER:** (571) 273-8300

**CONFIRMATION  
TELEPHONE:** (571) 272-8160 (Examiner)

**FROM:** Ruth Der, Paralegal

**DIRECT DIAL:** 415.957.3031

**DATE:** May 11, 2007

**USER NUMBER:**

**FILE NUMBER:** Docket No. R0367-03700, Serial No. 10/642,406

**TOTAL # OF PAGES:** 13  
(INCLUDING COVERSHEET)

**MESSAGE:** Attached is the *Amendment And Response To Office Action*  
*Mailed 02/13/2007.*

*Please confirm receipt of this facsimile.*

NOTE: Original will NOT follow

**CONFIDENTIALITY NOTICE**

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.957.3000.

MAY 11 2007

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
*Burbank et al.*

Examiner: Fangemonique A. Smith

For: **BIOPSY DEVICE WITH NEEDLE  
SHAPED INNER CUTTER**

Group Art Unit: 3736

Serial No.: 10/642,406

TRANSMITTAL

Filed: August 15, 2003

Atty. Docket No.: R0367-03700

## CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8300, addressed to Examiner Fangemonique A. Smith, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 11, 2007, in San Francisco, CA.

By: Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

- Transmitted herewith for filing in the above-identified patent application is an Amendment And Response To Office Action Mailed 02/13/2007.

- Claim Fee Calculation

X No additional claim fee is required.  
 \_\_\_\_\_ Amendment increases number of claims or multiple dependencies.

## Additional Claim Fee Calculation

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	2 - 11 =	0 x	\$100 =	\$-0-
Total Claims	2202	31 - 86 =	0 x	\$25 =	\$-0-

Additional Claims Fee \$-0-

- Payment of Fees

X The Commissioner is authorized to charge any fees and to credit any overpayment of fees associated with this communication which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-03700. A duplicate copy of this sheet is enclosed for fee processing.

By: Edward J. Lynch  
Registration No. 24,422  
Attorney for ApplicantsDuane Morris LLP  
One Market, Spear Street, Suite 2000  
San Francisco, CA 94105  
Telephone: (415) 957-3000  
Facsimile: (415) 957-3001  
Direct Dial: (415) 957-3067

**RECEIVED**  
**CENTRAL FAX CENTER**

003/013

MAY 11 2007

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of  
*Burbank et al.*

Examiner: Fangemonique A. Smith

For: **BIOPSY DEVICE WITH NEEDLE  
 SHAPED INNER CUTTER**

Group Art Unit: 3736

Serial No.: 10/642,406

TRANSMITTAL

Filed: August 15, 2003

Atty. Docket No.: R0367-03700

**CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8**

I hereby certify that these papers are being sent by facsimile to (571) 273-8300, addressed to Examiner Fangemonique A. Smith, Mail Stop  
 Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 11, 2007, in San Francisco, CA.

By: 

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is an Amendment  
 And Response To Office Action Mailed 02/13/2007.

2. Claim Fee Calculation

X No additional claim fee is required.  
 \_\_\_\_\_ Amendment increases number of claims or multiple dependencies.

**Additional Claim Fee Calculation**

Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	2 - 11 =	0 x	\$100=	\$-0-
Total Claims	2202	31 - 86 =	0 x	\$25=	\$-0-

Additional Claims Fee

\$-0-

3. Payment of Fees

X The Commissioner is authorized to charge any fees and to credit any overpayment of fees associated with this communication which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-03700. A duplicate copy of this sheet is enclosed for fee processing.

By: 

Edward J. Lynch  
 Registration No. 24,422  
 Attorney for Applicants

Duane Morris LLP  
 One Market, Spear Street, Suite 2000  
 San Francisco, CA 94105  
 Telephone: (415) 957-3000  
 Facsimile: (415) 957-3001  
 Direct Dial: (415) 957-3067

**COPY**

**RECEIVED**  
**CENTRAL FAX CENTER**

004/013

MAY 11 2007

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re the application of  
Burbank et al.For: **BIOPSY DEVICE WITH NEEDLE  
SHAPED INNER CUTTER**

Serial No.: 10/642,406

Filed: August 15, 2003

Atty. Docket No.: R0367-03700

Examiner: Fangemonique A. Smith

Group: 3736

**AMENDMENT AND RESPONSE TO**  
**OFFICE ACTION MAILED**  
**02/13/2007****CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8**I hereby certify that this correspondence is being transmitted by facsimile (571) 273-8300 and addressed to Attention: Examiner Fangemonique A. Smith, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 5/11/2007 in San Francisco, CA.By: Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed February 13, 2007 in the above-  
referenced application, please amend the above-referenced application as follows: